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FM AMEMBASSY SANTIAGO
TO RUEHC/SECSTATE WASHDC PRIORITY 0807
INFO RUEHBS/AMEMBASSY BRUSSELS PRIORITY 0181
RUEAWJA/DOJ WASHDC PRIORITY
RHMCSUU/FBI WASHINGTON DC PRIORITY

C O N F I D E N T I A L SANTIAGO 000135

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TAGS: [KJUS](#) [PGOV](#) [PHUM](#) [CI](#)

SUBJECT: BELGIAN UNIVERSITY DETECTS MUSTARD GAS, REVIVING
QUESTION OF WHETHER FORMER PRESIDENT FREI WAS MURDERED

REF: A. SANTIAGO 0902

- [1](#)B. 29 AUGUST 2005 ARMED FORCES MEDICAL EXAMINER
REPORT TO FBI SSA JEFFREY LEGITT
- [1](#)C. 4 NOVEMBER 2004 LEGITT-ESCUADERO EMAIL
- [1](#)D. 05 SANTIAGO 0448

Classified By: Deputy Chief of Mission Emi Yamauchi for reasons 1.4(b)
and (d).

[1](#)1. (C) Chilean newspapers reported over the weekend of January 20-21 that researchers at Ghent University in Belgium detected traces of mustard gas in three tissue samples taken from the body of former Chilean President (1964-1970), Eduardo "Frei Montalva." Frei Montalva died on January 22, 1982 after undergoing hernia surgery. The reported findings appear to contradict results of FBI tests conducted in 2005 which indicated foreign toxic substances were not present in Frei's tissue samples. Frei Montalva's family, including his son, former President (1994-2000) and current President of the Senate Eduardo "Frei Ruiz-Tagle" remain convinced he was murdered by the Pinochet regime. At a ceremony commemorating the 25th anniversary of his father's death, Frei Ruiz-Tagle stated he would request the investigation into his father's death be elevated to a murder investigation. President Michelle Bachelet -- also speaking at the ceremony -- said efforts should be taken to clarify the status of this and other pending cases from the Pinochet era.

[1](#)2. (C) The medical consensus at the time of Frei Montalva's death was that he had died of septic shock after multiple surgeries, following complications from a hernia operation. However, the Frei family claims it always suspected foul play due to the deaths of several of his associates around the same time. Frei Montalva's daughter and former Senator Carmen Frei first made the family's suspicions public in [1](#)2000.

[1](#)3. (C) In 2002, the Freis joined a legal action to investigate the murder of Chilean Army chemist Eugenio Barrios, linked to secret biological and chemical weapons research. The Freis claim that when their father's body was exhumed in 2004, to retrieve tissue samples for a new investigation into his death, the body was in a different coffin and position in the crypt. The supposed Barrios link and the moving of the body led them to request FBI assistance both in determining the identity of the body, and to search for clues to biological or chemical poisoning. In November 2004, (ref D) the Chilean Investigations Police (PICH) formally requested FBI assistance in analyzing the Frei Montalva tissue samples and establishing a positive identity on the body.

¶4. (C) The FBI laboratory established that the remains identified as those of Eduardo Frei Montalva were genetically linked to living members of the Frei family(ref B). The FBI test laboratory found no traces of known chemical or biological agents.

¶5. (C) However, although the toxicology screen was negative, this did not rule out the presence of mustard gas or other nerve agents at the time of death. The Office of the Armed Forces Medical Examiner's Toxicology Department report specifically noted that mustard gas is a very volatile compound which, several months after application, becomes "impossible to detect by current scientific methods." FBI researchers in 2005 suggested a review of the autopsy and medical records just prior to Frei Montalva's death would provide a strong indication of the cause of death, as the action of nerve agents is clinically distinct from bacterial infection. FBI and Embassy files at Post do not indicate whether such records were formally requested by or provided to the FBI.

¶6. (C) It is not clear who leaked the purported results of the Ghent University tests, characterized as a "preliminary report," to the press. The judge in the case has refused to comment on the stories, but confirmed he is expecting an official report on the presence of mustard gas in Frei Montalva's tissue samples. The Frei family did not publicize the inconclusive results of the FBI report released to Chilean investigators on September 21, 2005, and "highly placed sources" were quoted in the Chilean press November 30, 2005, complaining about the delay in analyzing the samples. Subsequent press reporting of Embassy's response (using Washington-cleared press guidance) emphasized the negative results without indicating their inconclusive nature. This caused Frei's family and their lawyer to publicly complain. At that time, the Ambassador personally apologized to the

Frei family, and the Embassy clarified the inconclusive nature of the results to the press.

¶5. (C) Comment: Clearly, neither the Frei family nor the investigating judge were satisfied with the FBI report on the Frei Montalva tissue samples. Eduardo Frei Ruiz-Tagle met with the Ambassador in April 2006(ref A) to request continued U.S. support for the investigation into his father's death. At that time he expressed his conviction that his father had been murdered -- "the only question is who did it, and how did he do it." While the Frei family's sincerity is beyond doubt, it appears the Freis and Judge Madrid may be "cherry picking" evidence that supports the murder thesis and discounting evidence that contradicts it.

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